

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, APRIL 18, 2018**

**C-1    Call to Order / Roll Call**

The City Council Closed Session meeting of April 18, 2018, was called to order by Mayor Nakanishi at 6:19 p.m.

Present:    Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Absent:    Council Member Kuehne

Also Present:    City Manager Schwabauer, City Attorney Magdich, and City Clerk Ferraiolo

NOTE: Mayor Pro Tempore Mounce participated in the meeting via teleconference.

**C-2    Announcement of Closed Session**

- a)    Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding Lodi City Mid-Management Association, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, Lodi Professional Firefighters, Lodi Fire Mid-Management, and International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6 (CM)
- b)    Actual Litigation: Government Code §54956.9(a); One Case; Sukhwinder Kaur, Individually and as the Successor in Interest for the Decedent Parminder Singh Shergill, et. al. v. City of Lodi, et al.; U.S. District Court, Eastern District of California; Case No. 2:14-CV-00828-GEB-AC (CA)

**C-3    Adjourn to Closed Session**

At 6:19 p.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 7:11 p.m.

**C-4    Return to Open Session / Disclosure of Action**

At 7:20 p.m., Mayor Nakanishi reconvened the City Council meeting, and City Attorney Magdich disclosed the following actions.

Items C-2a) and C-2b) were discussion and direction only with no reportable action.

**A.    Call to Order / Roll Call**

The Regular City Council meeting of April 18, 2018, was called to order by Mayor Nakanishi at 7:20 p.m.

Present:    Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Absent:    Council Member Kuehne

Also Present:    City Manager Schwabauer, City Attorney Magdich, and City Clerk Ferraiolo

NOTE: Mayor Pro Tempore Mounce participated in the meeting via teleconference.

**B.    Presentations**

B-1 Presentation of Certificate of Recognition to Eagle Scout Logan Roper (CLK)

Mayor Nakanishi presented a Certificate of Recognition to Boy Scout Logan Roper for attaining the rank of Eagle Scout and acknowledged him for his project of planting 25 trees at Lodi Lake.

B-2 Quarterly Update from the Lodi Senior Citizens Commission (PRCS)

Lodi Senior Citizen Commission Chair Julie Whiteley provided a quarterly update on the Commission's activities and accomplishments, including its two-year strategic plan to study issues facing seniors, strengths and weaknesses, goals and objectives, and action plans to meet the needs, which will come back to Council, and its meeting with Public Works Director Charlie Swimley to discuss walkability in Lodi.

C. Consent Calendar (Reading; Comments by the Public; Council Action)

Council Member Chandler made a motion, second by Council Member Johnson, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

C-1 Receive Register of Claims in the Amount of \$5,034,244.68 (FIN)

Claims were approved in the amount of \$5,034,244.68.

C-2 Approve Minutes (CLK)

The minutes of March 21, 2018 (Regular Meeting), March 27, 2018 (Shirtsleeve Session), April 3, 2018 (Shirtsleeve Session), April 4, 2018 (Regular Meeting), April 10, 2018 (Shirtsleeve Session), and April 10, 2018 (Special Meeting) were approved as written.

C-3 Approve Specifications and Authorize Advertisement for Bids for 2018-2020 Landscape Maintenance of Miscellaneous Areas and Lodi Consolidated Landscape District No. 2003-1 (PW)

Approved specifications and authorized advertisement for bids for 2018-2020 Landscape Maintenance of Miscellaneous Areas and Lodi Consolidated Landscape District No. 2003-1.

C-4 Approve Specifications and Authorize Advertisement for Bids for 2018-2019 Transit Station Landscape Maintenance (PW)

Approved specifications and authorized advertisement for bids for 2018-2019 Transit Station Landscape Maintenance.

C-5 Approve Specifications and Authorize Advertisement for Bids for 2018 GrapeLine Bus Stop Accessibility and Shelter Improvements (PW)

Approved specifications and authorized advertisement for bids for 2018 GrapeLine Bus Stop Accessibility and Shelter Improvements.

C-6 Adopt Resolution Authorizing Purchase of Five 26-Foot Compressed Natural Gas, Low-Floor Cutaway Buses from A-Z Bus Sales, Inc., of Colton, Utilizing California Association for Coordinated Transportation/Morongo Basin Transit Authority Procurement Cooperative

(\$993,133), and Authorizing Public Works Director to Execute All Necessary Documents (PW)

Adopted Resolution No. 2018-59 authorizing the purchase of five 26-foot compressed natural gas low-floor cutaway buses from A-Z Bus Sales, Inc., of Colton, utilizing California Association for Coordinated Transportation/Morongo Basin Transit Authority Procurement Cooperative, in the amount of \$993,133, and authorizing the Public Works Director to execute all necessary documents.

C-7 Adopt Resolution Rejecting Protest and Awarding Contract for Wastewater Main Rehabilitation Program, Project No. 7, to Express Sewer & Drain, Inc., of Rancho Cordova (\$1,885,814) (PW)

Adopted Resolution No. 2018-60 rejecting protest and awarding contract for Wastewater Main Rehabilitation Program, Project No. 7, to Express Sewer & Drain, Inc., of Rancho Cordova, in the amount of \$1,885,814.

C-8 Adopt Resolution Awarding Contract for White Slough Water Pollution Control Facility Storage Expansion and Surface, Agricultural, and Groundwater Supply Improvements Project to A.M. Stephens Construction Co., Inc., of Lodi (\$3,713,005), and Appropriating Funds (\$2,400,000) (PW)

NOTE: Items C-8 and C-9 were acted on together.

This item was removed from the Consent Calendar at the request of Mayor Pro Tempore Mounce in order to vote "no" on the matter, based on reasons expressed at a previous City Council meeting.

Council Member Chandler made a motion, second by Council Member Johnson, to adopt Resolution No. 2018-67 awarding contract for White Slough Water Pollution Control Facility Storage Expansion and Surface, Agricultural, and Groundwater Supply Improvements Project to A.M. Stephens Construction Co., Inc., of Lodi, in the amount of \$3,713,005, and appropriating funds in the amount of \$2,400,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, and Mayor Nakanishi

Noes: Mayor Pro Tempore Mounce

Absent: Council Member Kuehne

C-9 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Contractor Compliance and Monitoring, Inc., of San Mateo, for Labor Compliance Services for White Slough Water Pollution Control Facility Storage Expansion and Surface, Agricultural, and Groundwater Supply Improvements Project (\$30,000) (PW)

NOTE: Items C-8 and C-9 were acted on together.

This item was removed from the Consent Calendar at the request of Mayor Pro Tempore Mounce in order to vote "no" on the matter, based on reasons expressed at a previous City Council meeting.

Council Member Chandler made a motion, second by Council Member Johnson, to adopt Resolution No. 2018-68 authorizing the City Manager to execute Professional Services Agreement with Contractor Compliance and Monitoring, Inc., of San Mateo, for labor compliance services for White Slough Water Pollution Control Facility Storage Expansion and Surface, Agricultural, and Groundwater Supply Improvements Project in the amount of \$30,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, and Mayor Nakanishi  
Noes: Mayor Pro Tempore Mounce  
Absent: Council Member Kuehne

- C-10 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement for Environmental Review Documentation with Basecamp Environmental, Inc., of Lodi, and to Execute Reimbursement Agreement with Celia Hung for Environmental Review Services by Basecamp Environmental, Inc., for the Proposed Project at 2201 West Turner Road (CD)

Adopted Resolution No. 2018-61 authorizing the City Manager to execute a Professional Services Agreement for environmental review documentation with Basecamp Environmental, Inc., of Lodi, and to execute a Reimbursement Agreement with Celia Hung for environmental review services by Basecamp Environmental, Inc., for the proposed project at 2201 West Turner Road.

- C-11 Adopt Resolution Authorizing City Manager to Execute Addendum to Professional Services Agreement with CliffordMoss LLC, of Oakland, for Strategic Communications and Election Feasibility for Possible 2018 Revenue Measure (\$100,000) (CM)

Adopted Resolution No. 2018-62 authorizing the City Manager to execute Addendum to Professional Services Agreement with CliffordMoss LLC, of Oakland, for strategic communications and election feasibility for possible 2018 revenue measure, in the amount of \$100,000.

- C-12 Adopt Resolution Accepting Harvest Crossing Subdivision (Tract No. 3905) Public Improvements (PW)

Adopted Resolution No. 2018-63 accepting Harvest Crossing Subdivision (Tract No. 3905) Public Improvements.

- C-13 Adopt Resolution Approving Final Map and Authorizing City Manager to Execute Improvement Agreement for The Vine, Unit No. 2, at Vintner's Square, Tract No. 3898, and Amendment to the Improvement Agreement for The Vine, Unit No. 1, at Vintner's Square Subdivision, Tract No. 3865 (PW)

Adopted Resolution No. 2018-64 approving Final Map and authorizing the City Manager to execute Improvement Agreement for The Vine, Unit No. 2, at Vintner's Square, Tract No. 3898, and Amendment to the Improvement Agreement for The Vine, Unit No. 1, at Vintner's Square Subdivision, Tract No. 3865.

- C-14 Adopt Resolution Appropriating Funds for Lockeford Street Improvement Project Right-of-Way Acquisition (\$20,000) (PW)

Adopted Resolution No. 2018-65 appropriating funds for Lockeford Street Improvement Project right-of-way acquisition, in the amount of \$20,000.

- C-15 Adopt Resolution Approving 2018/19 Pavement Resurfacing Project for Road Repair and Accountability Act of 2017 Funding (\$1,063,750) (PW)

Adopted Resolution No. 2018-66 approving 2018/19 Pavement Resurfacing Project for Road Repair and Accountability Act of 2017 funding, in the amount of \$1,063,750.

- C-16 Set Public Hearing for May 2, 2018, to Consider Adopting Resolution Approving Planning Commission's Recommendation to Authorize 560 Low-Density Residential Growth Management Allocations for the Gateway South Subdivision (CD)

Set public hearing for May 2, 2018, to consider adopting resolution approving Planning Commission's recommendation to authorize 560 Low-Density Residential Growth Management Allocations for the Gateway South Subdivision.

C-17 Set Public Hearing for May 2, 2018, to Consider Adopting Resolution Approving Final 2018/19 Annual Action Plan for Community Development Block Grant Program (CD)

Set public hearing for May 2, 2018, to consider adopting resolution approving Final 2018/19 Annual Action Plan for Community Development Block Grant Program.

D. Comments by the Public on Non-Agenda Items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

Public comment may only be made on matters within the Lodi City Council's jurisdiction (Government Code Section 54954.3, Lodi City Council Protocol Manual Section 6.3I). The Council cannot take action or deliberate on items that are not on this agenda unless there is an emergency and the need to take action on that emergency arose after this agenda was posted (Government Code Section 54954.2(b)(2)). All other items may only be referred for review to staff or placement on a future Council agenda.

None.

E. Comments by the City Council Members on Non-Agenda Items

Mayor Pro Tempore Mounce expressed appreciation for being able to participate in the meeting via teleconference due to her attendance at the League of California Cities Legislative Action Days and Board meeting.

F. Comments by the City Manager on Non-Agenda Items

None.

G. Public Hearings

G-1 Public Hearing to Consider Adopting Resolution Authorizing City Manager to Execute Reimbursement Agreement RA-18-01 for Public Improvements Constructed with Lodi Shopping Center (PW)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the public hearing to consider adopting resolution authorizing the City Manager to execute Reimbursement Agreement RA-18-01 for public improvements constructed with Lodi Shopping Center.

City Manager Schwabauer requested Council continue the public hearing to May 2, 2018, so staff may continue discussions and negotiations with the interested parties in this matter.

Mayor Nakanishi opened the public hearing.

Mayor Pro Tempore Mounce made a motion, second by Council Member Chandler, to continue the public hearing to May 2, 2018, to consider authorizing the City Manager to execute Reimbursement Agreement RA-18-01 for public improvements constructed with Lodi Shopping Center.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

G-2 Public Hearing to Consider Adopting Resolution Approving Draft 2018/19 Annual Action Plan for Community Development Block Grant Program (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the public hearing to consider adopting a resolution approving Draft 2018/19 Annual Action Plan for Community Development Block Grant (CDBG) Program.

Community Development Block Grant Program Administrator Patrice Clemons provided a PowerPoint presentation regarding Draft 2018/19 Annual Action Plan for the CDBG Program. Specific topics of discussion included summary of citizen participation process, Draft Annual Action Plan, Final Annual Action Plan and submittal, 2018/19 CDBG funding and allocations, requested and proposed allocations, City policy and California Department of Housing and Urban Development recommendations, program administration, contingency plan, and recommended action.

Mayor Nakanishi opened the public hearing for public comment.

There being no public comments, Mayor Nakanishi closed the public hearing.

Council Member Johnson made a motion, second by Council Member Chandler, to adopt Resolution No. 2018-69 approving Draft 2018/19 Annual Action Plan for Community Development Block Grant Program.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

H. Regular Calendar

- H-1 Adopt Resolutions and Authorize Documents and Actions Regarding the Refunding of the Electric System Revenue Certificates of Participation, 2008 Series A: a) Adopt Resolution of the City Council Authorizing Documents and Official Actions Relating to the Refinancing on a Current Basis of an Outstanding Payment Obligation of the City of Lodi Relating to its Electric System and the Issuance and Sale of 2018 Electric System Revenue Refunding Bonds by the Lodi Public Financing Authority; b) Adopt Resolution of the Lodi Public Financing Authority Authorizing the Issuance and Sale of 2018 Electric System Revenue Refunding Bonds to Refinance on a Current Basis an Installment Payment Obligation of the City of Lodi 2007, and Approving Related Documents and Official Actions; and c) Adopt Resolution Authorizing City Manager to Enter into an Agreement for Legal Services with Jones Hall, a Professional Law Corporation, for Bond Counsel Services in Connection with Bond Refinancing (\$75,000)

NOTE: Joint Action of the Lodi City Council and Lodi Public Financing Authority

City Manager Schwabauer explained this request is to refinance the debt in the Electric Utility Department to capture interest rate savings without extending payment terms.

Deputy City Manager Andrew Keys introduced the financing team and staff working on this matter and reiterated this action does not extend the term; it only lowers the interest rate for a significant net present value savings to the City of roughly \$6.3 million. In addition, Council is being asked to approve a contract with Jones Hall for bond services. Mr. Keys pointed out this agenda item is a joint action of the Lodi City Council and the Lodi Public Financing Authority.

Anna Sarabian with Fieldman Rollap responded to questions posed by Council Members Chandler and Johnson relating to the City's rating with the various rating agencies and how to improve the rating over time.

Council Member Johnson made a motion, second by Council Member Chandler, to adopt Resolution No. 2018-70 of the City Council authorizing documents and official actions relating to the refinancing on a current basis of an outstanding payment obligation of the City of Lodi relating to its electric system and the issuance and sale of 2018 Electric System Revenue Refunding Bonds by the Lodi Public Financing Authority.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

Council Member Chandler made a motion, second by Council Member Johnson, to adopt Resolution No. LPFA2018-01 of the Lodi Public Financing Authority authorizing the issuance and sale of 2018 Electric System Revenue Refunding Bonds to refinance on a current basis an installment payment obligation of the City of Lodi 2007, and approving related documents and official actions.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

Council Member Johnson made a motion, second by Council Member Chandler, to adopt Resolution No. 2018-71 authorizing the City Manager to enter into an Agreement for Legal Services with Jones Hall, a Professional Law Corporation, for bond counsel services in connection with bond refinancing, in the amount of \$75,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

I. Ordinances

I-1 Adopt Ordinance No. 1951 Entitled, "An Uncodified Ordinance of the Lodi City Council Levying and Apportioning the Special Tax in Territory Annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 6)" (CLK)

Council Member Chandler made a motion, second by Mayor Pro Tempore Mounce, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print uncodified Ordinance No. 1951 entitled, "An Uncodified Ordinance of the Lodi City Council Levying and Apportioning the Special Tax in Territory Annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 6)," which was introduced at a regular meeting of the Lodi City Council held April 4, 2018.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Johnson, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Kuehne

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:04 p.m.

ATTEST:

Jennifer M. Ferraiolo  
City Clerk